

**Chan, Suilin**

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**From:** Chan, Suilin  
**Sent:** Tuesday, August 11, 2020 1:19 PM  
**To:** cathy.tortorici@noaa.gov; 'lisamarie.carrubba@noaa.gov'; pat.shaw-allen@noaa.gov  
**Cc:** Colecchia, Annamaria; Sareen, Neha; Siegel, Joseph  
**Subject:** FW: draft email for NMFS  
**Attachments:** EPA-NMFS' ESA\_Concurrence Request\_08112020.pdf

Dear Ms. Tortorici,

The U.S. Environmental Protection Agency (EPA) is requesting concurrence of its “not likely to adversely affect” determination from the National Marine Fisheries Services, pursuant to Section 7 of the Endangered Species Act, regarding an air permit application submitted to EPA for a Plantwide Applicability Limit (PAL) permit to Limetree Bay Terminals, LLC and Limetree Bay Refining, LLC for their refining operations located in St. Croix, U.S. Virgin Islands. There are several federally listed threatened or endangered species in St. Croix.

This is an already existing facility, previously owned by the HOVENSA refinery, located on the south central side of the island of St. Croix with the center of the facility property at approximately 17°42'32” north latitude and -64°45'00.36” west longitude. The facility was shutdown in 2012 and would like to restart operations. Although Limetree may restart the refinery under the terms and conditions of its existing PSD permit, it seeks EPA’s approval of a PAL permit that offers operational flexibility. The PAL permit limits the emissions of the refinery to the emission levels previously emitted by HOVENSA prior to shutdown while providing Limetree with flexibility in its operation. The PAL permit does not introduce new emissions compared to those emitted by HOVENSA; in fact, there is a reduction in the potential emissions of all air pollutants. Some of the emission units from the former HOVENSA facility have been shut down. Limetree will have air emissions out of vertical stacks and tanks of various pollutants such as sulfur dioxide, nitrogen oxides, volatile organic compounds, carbon monoxide, particulate matter (PM), PM10, and PM2.5. The PAL permit contains emission limitations for the above pollutants in accordance with the requirements of 40 CFR §52.21(aa).

Given the 8-year time lapse since the facility operated and that there are federally listed endangered species in the area, EPA assessed the possible effects on the species from the air emissions from Limetree. Region 2 conducted an assessment of the acid deposition impacts on both the terrestrial and aquatic areas in St. Croix including where the species are expected to nest and live and critical habitats. This was done using EPA’s state of the science model for acid deposition, CMAQ. In addition, EPA included other considerations in its assessment.

The attached document is being prepared to address those ecological impacts on the federally listed endangered species in St. Croix, U.S. Virgin Islands. This was prepared for all listed species in general, including the leatherback turtle, the Nassau Grouper, and the endangered corals near Sandy Point Wildlife Refuge which NMFS specifically identified as requiring the type of analysis provided in this document.

Our findings as presented in the attached analysis lead EPA Region 2 to conclude that issuing the PAL permit to Limetree Bay Refinery and Terminal results in a determination of “may affect but is not likely to adversely

affect (NLAA)” the endangered species and critical habitat on and in the surrounding areas of the island of St. Croix with particular attention to the western most part of St. Croix where the species primarily live and nest. We are seeking your concurrence of our NLAA determination.

If you have questions regarding the attached analysis or our NLAA determination, please feel free to contact Ms. Annamaria Colecchia at (212) 637-4016 ([Colecchia.Annamaria@epa.gov](mailto:Colecchia.Annamaria@epa.gov)) or Ms. Neha Sareen, Ph.D. at (212) 637-4074 ([Sareen.Neha@epa.gov](mailto:Sareen.Neha@epa.gov)).

We look forward to hearing from you soon.

Sincerely yours,  
Suilin Chan

Suilin W. Chan  
Chief | Permitting Section | Air and Radiation Division | US EPA Region 2 | Office: (212) 637-4019